



1 for RCE\$

PATENT

ATTORNEY DOCKET NO.: 040894-7382

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Futoshi KAMEDA

Application No.: 10/566,583

Filed: January 31, 2006

For: STAPLER HAVING A STAPLE  
SUPPORT SURFACE ON A PUSHER  
(As Amended)

Confirmation No.: 5113

Group Art Unit: 3721

Examiner: Lindsay M. Low

Commissioner for Patents  
Customer Window, **Mail Stop RCE**  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

**REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL**

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. Submission required under 37 C.F.R. § 1.114

☐

Previously submitted:

☐

Please consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on (Any unentered amendment(s) referred to above will be entered).

☐

Please consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_.

☒

Enclosed:

☐

Supplemental Reply

☒

Other: Amendment Under 37 C.F.R. § 1.114

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## 2. Miscellaneous

☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

☐ Other: \_\_\_\_\_

## 3. Fees Calculation

(a) RCE Fee required under 37 C.F.R. § 1.17(e)

☒ \$810.00

☐ \$405.00 (for small entity)

(b) Additional Claims

CLAIMS AS AMENDED						
	Claims Remaining After Amendment		Highest No. Previously Paid	Present Extra	at Rate of	Total Fees
Total Claims (37 C.F.R. § 1.16(c))	8	minus	20	0	x \$50 each =	+ \$ 0.00
Independent Claims (37 C.F.R. § 1.16(b))	2	minus	3	0	x \$210 each =	+ \$ 0.00
[ ] First presentation of Multiple dependent claim(s)					\$370.00	+ \$00.00
SUB-TOTAL =						\$ 0.00
Reduction by ½ for filing by a small entity						- \$ 0.00
TOTAL FEE =						\$ 0.00

(c) Extension of Time

☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that Applicant inadvertently overlooked the need for a petition and fee for extension of time.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. § 1.17(a), for the total number of months checked below.

<u>Total Months Requested</u>	<u>Fee for Extension</u>	<u>Fee for Small Entity</u>
<input type="checkbox"/> one month	\$ 120.00	\$ 60.00
<input type="checkbox"/> two months	\$ 460.00	\$230.00
<input type="checkbox"/> three months	\$1,050.00	\$525.00
<input type="checkbox"/> four months	\$1,640.00	\$820.00

The extension of time fee for this request: \_\_\_\_\_.

If an additional extension of time is required, please consider this a Petition therefor.

4. Fee Payment

- ☐ Enclosed is a check in the amount of \$\_\_\_\_\_.
- ☒ The Commissioner is hereby authorized to charge the Deposit Account No. 50-0310 in the amount of **\$790.00** (RCE filing fee of \$790).
- ☒ EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a CONSTRUCTIVE PETITION FOR EXTENSION OF TIME in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**MORGAN, LEWIS & BOCKIUS LLP**

Dated: April 3, 2008

By:

  
Kent Basson

Registration No. 48,125

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